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REMARKS

Claims 1-7, 9-18, and 32-34 are currently pending in the subject application and are presently under consideration. Claims 1-6, 14, 18, and 33 have been amended as shown at pages 2-5 of the Reply. Applicants' representative acknowledges with appreciation the courtesies extended by the Examiner during the telephonic interview conducted on June 2, 2005. Favorable reconsideration of the subject patent application is respectfully requested in view of the comments and amendments herein.

I. Rejection of Claims 1, 2, 4, 9-18, and 32-34 Under 35 U.S.C. §102(e)

Claims 1, 2, 4, 9-18, and 32-34 stand rejected under 35 U.S.C. §102(e) as being anticipated by Maissel *et al.* (U.S. 6,637,029). It is respectfully submitted that this rejection should be withdrawn for at least the following reasons. Maissel *et al.* does not anticipate or suggest each and every element of the subject claims.

For a prior art reference to anticipate, 35 U.S.C. §102 requires that "*each and every element* as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *In re Robertson*, 169 F.3d 743, 745, 49 USPQ2d 1949, 1950 (Fed. Cir. 1999) (*quoting Verdegaal Bros., Inc. v. Union Oil Co.*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987)) (emphasis added).

The subject claims relate to integrating considerations of temporality with collaborative filtering. In particular, independent claim 1 (and similarly independent claim 18), as amended, recites a collaborative filtering system that employs the *logged temporal history* and *disparate logged temporal history* from a plurality of disparate database systems to generate a *recommendation specific to the user* based at least in part on *information obtained from a plurality of users* related to a particular one of the plurality of *time subintervals*. Maissel *et al.* does not anticipate or suggest such claimed aspects.

More particularly, Maissel *et al.* fails to anticipate or suggest that a collaborative filtering system generates a *recommendation specific to the user* based on *information obtained from a plurality of users* as claimed. Maissel *et al.* discloses customization of

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an electronic program guide *via* utilizing an intelligent agent. (See col. 3, ll. 1-2). The intelligent agent monitors viewing behavior of one or more viewers and accordingly creates a preference profile, which is utilized to customize the electronic program guide. (See col. 3, ll. 2-8). The intelligent agent can customize the program schedule information in accordance with one or more viewer preference profiles. (See col. 13, ll. 34-40). If more than one viewer preference profile is employed, the profiles can be simply combined, complete preference can be given to one profile over another profile, or a profile can be partially preferred to another profile. (See col. 13, ll. 40-47). However, combining a number of profiles and utilizing the resultant combined profile differs from generating a recommendation specific to a user based on information related to a plurality of users. Thus, Maissel *et al.* does not anticipate or suggest such aspects as claimed.

Moreover, Maissel *et al.* fails to anticipate or suggest that the recommendation is generated *based on information ... related to a particular one of the plurality of time subintervals* as recited in the subject claims. Maissel *et al.* discloses that the viewer preference profile can include information obtained over a period of time and that any length of time can be employed. (See col. 12, ll. 23-34). The viewer preference profile is utilized to customize the program schedule information. (See col. 13, ll. 34-41). Maissel *et al.*, however, is silent in regards to generating a recommendation based on one time subinterval out of a plurality of time subintervals. Thus, Maissel *et al.* does not anticipate or suggest such claimed aspects.

In view of at least the foregoing, it is readily apparent that Maissel *et al.* does not anticipate or suggest the subject invention as recited in independent claims 1 and 18 (and claims 2, 4, 9-17, and 32-34 which respectively depend there from). This rejection should be withdrawn.

II. Rejection of Claims 3 and 5 Under 35 U.S.C. §103(a)

Claims 3 and 5 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Maissel *et al.* (U.S. 6,637,029) and Ferman *et al.* (U.S. 2002/0059584). It is respectfully submitted that this rejection should be withdrawn for the following reasons. Maissel *et al.* and Ferman *et al.*, individually or in combination, do not teach or suggest each and

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every element set forth in the subject claims. In particular, Ferman *et al.* does not make up for the aforementioned deficiencies of Maissel *et al.* with respect to independent claim 1 (which claims 3 and 5 depend from). Therefore, the subject invention as recited in claims 3 and 5 is not obvious over the combination of Maissel *et al.* and Ferman *et al.* Thus, it is respectfully submitted that this rejection be withdrawn.

III. Rejection of Claims 6 and 7 Under 35 U.S.C. §103(a)

Claims 6 and 7 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Maissel *et al.* (US 6,637,029) and Hopple *et al.* (US 6,519,769). It is respectfully submitted that this rejection should be withdrawn for the following reasons. Maissel *et al.* and Hopple *et al.*, individually or in combination, do not teach or suggest each and every element set forth in the subject claims. In particular, Hopple *et al.* does not make up for the aforementioned deficiencies of Maissel *et al.* with respect to independent claim 1 (which claims 6 and 7 depend from). Therefore, the subject invention as recited in claims 6 and 7 is not obvious over the combination of Maissel *et al.* and Hopple *et al.* Thus, it is respectfully submitted that this rejection be withdrawn.

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CONCLUSION

The present application is believed to be in condition for allowance in view of the above comments and amendments. A prompt action to such end is earnestly solicited.

In the event any fees are due in connection with this document, the Commissioner is authorized to charge those fees to Deposit Account No. 50-1063.

Should the Examiner believe a telephone interview would be helpful to expedite favorable prosecution, the Examiner is invited to contact applicants' undersigned representative at the telephone number below.

Respectfully submitted,

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